**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

**(Special Original Jurisdiction)**

**THURSDAY, THE TWENTY FOURTH DAY OF JUNE**
**TWO THOUSAND AND FOUR**

**PRESENT**

**THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE**

**and**
**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 2220 of 2004**

Between:

Smt. K. Sarala W/o K. Bharatveer
R/o 5-9-22/44, Adarshnagar,

Hyderabad

..... PETITIONER

AND

1 State Bank of Hyderabad,

Industrial Finance Branch.

Panjagutta, Hyderabad,
rep. by its General Manager
2 Union of India, rep by its Secretary,

Ministry of Law, R.P. Road, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of mandamus or any other appropriate Writ, order or direction, striking down the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and striking down Section 13, 15 and 34 of the

Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and set a side the Notice dt. 01-07-2003 issued by the Respondents.

**For the Petitioner :**Mr.A.SUDERSHAN REDDY, Advocate.

**For the Respondent No.2:** Mr.A.RAJASHEKAR REDDY, (SC FOR CG)

For the Respondent No.1 : Mr. K.V.Simhadri, Advocate.

The Court Made the Following :

ORAL ORDER: (Per Hon'ble the Chief Justice)

In view of the decision rendered by the Hon'ble Supreme Court in Transfer Case (Civil) No. 92-95 of 2002, dated

8th April, 2004 *(MARDIA CHEMICALS LTD v. UNION OF INDIA AND OTHERS*), challenge to the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, is not tenable and for that reason, the relief prayed for cannot be granted.

The writ petition, therefore, is dismissed.

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DEVINDER GUPTA, CJ

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G. ROHINI, J.

To

1 The General Manager,

State Bank of Hyderabad,

Industrial Finance Branch.

Panjagutta, Hyderabad,

2 The Secretary,

Ministry of Law, Union of India,

R.P. Road, New Delhi.

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